

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JAMAL ALLMOND,

Plaintiff

v.

C-1-13-680

DAWN FREDERICK, *et al.*,

Defendants

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 5) and plaintiff's objections thereto (doc. no. 7). In the Report and Recommendation filed November 20, 2013 (doc. no. 5), the Magistrate Judge recommended that plaintiff's Complaint be dismissed with prejudice pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b).

Additionally, before the Court is the Report and Recommendation filed December 19, 2013 (doc. no. 10) in which the Magistrate Judge recommends plaintiff's Motion for Leave to File an Amended Complaint (doc. no. 6) be denied. No objection to this Report and Recommendation has been filed.

Plaintiff objects to the Report and Recommendation (doc. no. 5) on the grounds that his findings are contrary to law.

Upon a *de novo* review of the record, especially in light of plaintiff's objections, the Court finds that plaintiff's objections have either been adequately addressed and properly disposed of by the Judge or present no particularized arguments that warrant specific responses by this Court. The Court finds that the Magistrate Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case and agrees with the Magistrate Judge.

Accordingly, the Court hereby ADOPTS AND INCORPORATES BY REFERENCE HEREIN the Reports and Recommendations of the United States Magistrate Judge (doc. nos. 5 and 10). Plaintiff's Complaint is DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b). Plaintiff's Motion for Leave to File an Amended Complaint (doc. no. 6) is DENIED.

The Court CERTIFIES pursuant to 28 U.S.C. § 1915(a)(3) that for the foregoing reasons, an appeal of any Order adopting the Reports and Recommendations would not be taken in good faith and therefore DENIES plaintiff leave to appeal *in forma pauperis*. See *McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997).

This case is DISMISSED AND TERMINATED on the docket of this Court.

IT IS SO ORDERED.

s/Herman J. Weber
Herman J. Weber, Senior Judge
United States District Court